

**ANNUAL REPORT  
OF THE  
INTERIM STUDY COMMITTEE ON  
DRIVER EDUCATION**



**Indiana Legislative Services Agency  
200 W. Washington Street, Suite 301  
Indianapolis, Indiana 46204**

**October, 2009**

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# **INTERIM STUDY COMMITTEE ON DRIVER EDUCATION**

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### **Staff**

Susan Montgomery  
Attorney for the Committee

James Sperlik  
Fiscal Analyst for the Committee

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

## **I. LEGISLATIVE COUNCIL DIRECTIVE**

P.L.101- 2009 (SEA 16-2009) established the Interim Study Committee on Driver Education. The Committee was directed to study the following:

- (1) the administration of driver education by the Bureau of Motor Vehicles and the Department of Education;
- (2) standards for an Internet component of driver instruction;
- (3) standards for a classroom component of driver instruction;
- (4) penalties for instructional providers that fail to follow the standards for instruction driving experience;
- (5) statistics for moving violations accrued by individuals less than eighteen (18) years of age who had:
  - (A) taken driver education with a classroom component of driver instruction;
  - (B) taken an Internet component of driver instruction; and
  - (C) no formal driver education;
- (6) the effectiveness of driver education courses on the accident rates of young drivers; and
- (7) the standards and curriculum content for an effective driver education program.

## **II. SUMMARY OF CURRENT LAW AND ADMINISTRATIVE RULES**

The Indiana Code (IC 5-2-6.5) places the responsibility for commercial driver training schools with the Indiana Criminal Justice Institute (ICJI). The administrative rules pertaining to the ICJI's oversight are found at 205 IAC 3-1. The responsibility for the establishment and maintenance of minimum standards for driver education programs and equipment in the public schools by the Indiana State Board of Education is set forth in IC 20-19-2-8(a)(4), and the corresponding administrative rules are found at 511 IAC 6-6.

IC 9-24-10-4 sets forth the items that are necessary for the granting of a learner's permit by the Bureau of Motor Vehicles (BMV). The administrative rules regarding the BMV's regulation of high school driver education programs are found in 140 IAC 4-4.

IC 20-28-2-6 authorizes the Advisory Board of the Division of Professional Standards to adopt rules to set standards for teacher licensing. Pursuant to that authority, 515 IAC 1-1-17 and 515 IAC 8-1-18 relate to driver and traffic safety education endorsements of teachers in the public schools.

## **III. SUMMARY OF WORK PROGRAM**

The Committee met three times, on September 24, October 13, and October 29, 2009. All meetings took place in Room 233 of the Indiana State House, Indianapolis, Indiana.

#### **IV. SUMMARY OF TESTIMONY**

On September 24, the Committee heard testimony from: (1) Representative Woody Burton concerning past legislation on the subject of driver education schools; (2) Michael LaRocco, Program Coordinator, Motorcycle/Driver's Education, Indiana Department of Education, concerning the IDOE's jurisdiction over public schools that offer drivers' education; (3) Dr. T. Neil Moore, Executive Director of the Indiana Criminal Justice Institute, concerning the administrative oversight of commercial driver education schools; and (4) Karen Burkhardt, Burkhardt's Driver Education, Inc. and President of the Indiana Driving Schools Association, on issues concerning her own commercial school and members of the association.

On October 13, the Committee heard testimony from: (1) Michael Witter and (2) Jim Wright, of the National Highway Transportation Safety Administration (NHTSA) regarding NHTSA's push for driver education classes and its goal of laws of graduated drivers' licenses in all 50 states; (3) Cari Baylor, Baylor Trucking and (4) Wayne Crowder, American Trucking Association (ATA), concerning the "Share the Road" program that the ATA can make available to the state of Indiana; (5) Sherry Deane, American Automobile Association, Hoosier Motor Club (AAA), regarding driver education and schools that teach the course; (6) Stan Henderson, Indiana State University, regarding driver education, curriculum and instructor training; and (7) Tom Pagan and (8) Dave Wilkerson, Central Indiana Education Service Center (CIESC), regarding driver education training and the offering of instruction by on-line means from the CIESC.

On October, 29, the Committee heard testimony from: (1) Senator Greg Walker, concerning parent led driver education and its potential acceptance for purposes of early issuance of a probationary operator's license; (2) Commissioner Andy Miller, Bureau of Motor Vehicles, regarding secure IDs, graduated driver's licenses, and medical disclosures; and (3) Gary Town, Indiana Driving Schools Association and Indiana Driver Education Association, concerning requirements for driver education instruction. The Committee approved the final report with Recommendations.

#### **V. COMMITTEE FINDINGS AND RECOMMENDATIONS**

The Committee made no findings of fact.

The Committee made the following Recommendations:

"The Department of Education shall take the necessary steps to develop and implement a plan for the following:

- Establish content standards for driver's education
- Establish instructor certification and licensing

- Curriculum and instructional delivery, including on-line component options, parent-led courses, and cost issues.
- Assessment methodology
- Approval, oversight and monitoring of course providers.

The plan shall be developed after consultation with the Indiana State Police, the Indiana Sheriffs' Association, commercial driving schools, public school driving instructors, AAA, ICJI, BMV, and others deemed appropriate by the Department of Education. "

The Committee did not propose any legislation for introduction in the 2010 Session.

## WITNESS LIST

Representative Woody Burton

Michael LaRocco, Program Coordinator, Motorcycle/Driver's Education, Indiana Department of Education

Dr. T. Neil Moore, Executive Director, Indiana Criminal Justice Institute

Karen Burkhardt, Burkhardt's Driver Education, Inc., President, Indiana Driving Schools Association

Michael Witter, Regional Manager, National Highway Traffic Safety Administration

Jim Wright, Driver Licensing/Driver Education Program, National Highway Traffic Safety Administration

Cari Baylor, Baylor Trucking

Wayne Crowder, American Trucking Association

Sherry Deane, American Automobile Association, Hoosier Motor Club

Stan Henderson, Coordinator, Driver Education Programs, Indiana State University

Tom Pagan, Executive Director, Central Indiana Educational Service Center

Dave Wilkerson, Director of Driver Education, Central Indiana Educational Service Center

Senator Greg Walker

Commissioner Andy Miller, Indiana Bureau of Motor Vehicles

Gary Town, Indiana Driving Schools Association and Indiana Driver Education Association